

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13161 of Redevelopment Land Agency, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3104.44 to establish a parking lot in an R-4 District at the premises 1324 Monroe Street, N.W., (Square 2837, Lot 804).

HEARING DATE: February 20, 1980
DECISION DATE: March 5, 1980

FINDINGS OF FACT:

1. The subject property is located on the south side of Monroe Street between 14th Street and Holmead Place, N.W. and is known as 1324 Monroe Street, N.W. It is in an R-4 District.
 2. The subject site is a trapezoid in shape. It has frontage on Monroe Street and Holmead Place. There is a sixteen foot public alley to the immediate west of the site.
 3. The subject site is unimproved. A series of wood posts about 2.5 feet in height enclose the lot. The lot is situated among residential buildings. The site has been improved previously with an apartment house.
 4. The owner of the lot is the redevelopment Land Agency. It proposes to lease without charge the site to the Mount Rona Missionary Baptist Church on a month to month basis to be used as a parking lot for the members of the Church. The Church is located one block from the subject site.
 5. The subject Church plans to use the lot for parking for persons attending services on Sunday, funerals during the week and special occasions. Other than those times the lot would be fenced off and unavailable to any one.
 6. The subject church has a membership of 500 persons. The members do not reside in the immediate area. Most members use their cars to get to the Church.
 7. Advisory Neighborhood Commission 1A by letter of February 7, 1980 reported that it supported the application. No reasons for the support were stated.
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8. At the Public Hearing of February 10, 1980 the 14th Street Project Area Committee reported that it approved the temporary use of the subject lot as a parking lot but only for the church members.

9. Several property owners in the immediate neighborhood testified in opposition to the application. There was a petition on file with approximately thirty signatures in opposition as well as several letters in opposition. The grounds for the opposition were basically that the neighborhood is residential in nature and that parking lot is not suitable for the neighborhood. The proposed use does not service the neighborhood but only the church members who do not reside in the neighborhood. A parking lot creates trash, debris and general pollution. A parking lot could create crime where so many cars will be parked. The immediate neighborhood is well serviced by public transportation, the subject site is now being used as a playground by the neighborhood and a parking lot in the middle of a residential neighborhood would lower the property value of the residence. The Board so finds.

10. The Board by statute must give great weight to the issues and concerns of the ANC. In the subject application the ANC listed no grounds for its recommendation. Accordingly, the Board cannot address them.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the applicant is seeking a special exception which requires a showing that the applicant has complied with the requirements of Paragraph 3104.44 of the Zoning Regulations and that the relief can be granted as in harmony with the purpose and intent of the Zoning Regulations and that it will not tend to affect adversely the use of neighboring property. The Board concludes that the applicant has failed to establish the requirements of Sub-paragraph 3101.4.443 that no dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, that the present character and future development of the neighborhood will not be affected adversely, and that the parking lot is reasonably necessary and convenient to other uses in the vicinity. The Board also notes the considerable opposition to the application from the immediate neighborhood residents. The Board further concludes that the application cannot be granted without an adverse affect on the use of neighboring property. Accordingly, it is therefore ordered that the application is DENIED.

VOTE: 4-0(Charles R. Norris, Connie Fortune, Walter B. Lewis and William F. McIntosh to deny, Leonard L. McCants not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 2 JUN 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."